

McGREGOR W. SCOTT
United States Attorney
LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
Social Security Administration
JEAN M. TURK
Special Assistant United States Attorney

333 Market Street, Suite 1500
San Francisco, California 94105
Telephone: (415) 977-8943
Facsimile: (415) 744-0134
E-Mail: Jean.Turk@ssa.gov

Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

SHERRY A. HAYES,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of
Social Security,

Defendant.

CIVIL NO. 2:04-CV-2652-KJM

STIPULATION AND ORDER SETTLING
ATTORNEY'S FEES PURSUANT TO THE
EQUAL ACCESS TO JUSTICE ACT (EAJA)

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that Plaintiff's counsel, as Plaintiff's assignee, be awarded attorney's fees under the Equal Access to Justice Act in the amount of ELEVEN THOUSAND DOLLARS AND NO CENTS (\$11,000.00). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action for services performed before the district court and the Ninth Circuit Court of Appeals in accordance with 28 U.S.C. § 2412(d).

This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney fees and does not constitute an admission of liability on the part of Defendant under the EAJA. Payment in the aforementioned sum under EAJA shall constitute a complete release from and bar to any and all

1 claims, rights, causes of action, liens or subrogated interests relating to attorney's fees and costs
2 incurred in this action under EAJA. Any payment shall be made payable to Plaintiff's counsel as
3 Plaintiff's assignee and delivered to Plaintiff's counsel.

4 The settlement of Plaintiff's claim for EAJA attorney fees does not preclude Plaintiff's counsel
5 from seeking attorney's fees under 42 U.S.C. § 406(b) of the Social Security Act, subject to the offset
6 provisions of the law.

7 Respectfully submitted,

8 Dated: April 18, 2008

/s/ John V. Johnson
(As authorized via facsimile)
JOHN V. JOHNSON
Attorney for Plaintiff

11 Dated: April 18, 2008

McGREGOR W. SCOTT
United States Attorney
LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
Social Security Administration

14 /s/ Jean M. Turk

15 JEAN M. TURK
Attorneys for Defendant

17 o O o

19 ORDER

20 IT IS SO ORDERED.

22 Dated: April 22, 2008.

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25 U.S. MAGISTRATE JUDGE